

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO.: 97-CR-0099-001(HL)

RAMIREZ-ORTIZ, Orlando

MOTION REQUESTING MODIFICATION OF CONDITIONS

TO THE HONORABLE HECTOR M. LAFFITTE
SENIOR U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, JEFFREY SEMIDEY-ACOSTA U.S. PROBATION OFFICER of this Court, presenting an official report on the conduct and attitude of releasee, Orlando Ramírez-Ortiz, who on June 16, 1998, was sentenced to twenty-four (24) months of imprisonment as to count one (1) and sixty (60) months of imprisonment as to count two (2) to be served consecutively to each other after he plead guilty of violating Title 21 U.S. Code Section 846, 18:924(c)(1) and (2) and 18:2. A supervised release term of five (5) years as to count one (1) and was also imposed three (3) years as to count two (2) to be served concurrently with each other. As special conditions he was ordered to provide access to any financial information upon request, produce evidence to the effect that income tax returns have been duly filed within his place of residence as required by law, and to submit to urinalysis. A special monetary assessment in the amount of \$200.00 was also ordered. On January 14, 2005, Mr. Ramírez-Ortiz was released to the Eastern District of New York to supervision.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

The offender has complied with his supervision until he incurred in the following violations:

1. **STANDARD CONDITION NO. 6: - "THE DEFENDANT SHALL NOTIFY THE PROBATION OFFICER WITHIN 72 HOURS OF ANY CHANGE IN RESIDENCE OR EMPLOYMENT."**

On March 27, 2006, a letter was received from U.S. Probation Officer Susan M. Guarnieri from the Eastern District of New York, informing that On January 4, 2006, during a routine home contact, Mr. Ramírez-Ortiz informed her that he was employed as a construction worker and provided the address of the most recent work sites. From that day until March 11, 2006, U.S. Probation Officer Guarnieri made eight attempts to observe the offender work to no avail. Furthermore, on March 20, 2005, another routine home contact was conducted, wherein Mr. Ramírez-Ortiz's aunt informed that he moved out of the residence about two months ago, however, she was unable to provide any additional information. A contact was made with the offender reported uncle who was able to contact the offender and provide the officer with the new address and work location.

In lieu of the aforementioned violation, the offender agreed to sign the attached Probation Form 49-Waiver of Hearing to Modify Conditions of Supervised Release agreeing to participate in the home confinement program for a period of ninety (90) days.

WHEREFORE, it is respectfully requested that Mr. Ramírez-Ortiz's conditions be modified to include his participation in the home confinement program as mentioned in the Form 49 duly signed by the offender.

In San Juan, Puerto Rico, this 11th day of April, 2006

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Jeffrey Semidey
Jeffrey Semidey
U.S. Probation Officer
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CERTIFICATE OF SERVICE

I HEREBY CERTIFIED that on April 11, 2006. I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which send notification of such filing to the following: Mr. Humberto S. García, U.S. Attorney and to Joseph C. Laws, Jr., U.S. Federal Public Defender.

At San Juan, Puerto Rico, this 11th day of April 2006.

s/Jeffrey Semidey
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